

## REMARKS

Reconsideration is respectfully requested in view of any changes to the claims and the remarks herein. Please contact the undersigned to conduct a telephone interview in accordance with MPEP 713.01 to resolve any remaining requirements and/or issues prior to sending another Office Action. Relevant portions of MPEP 713.01 are included on the signature page of this amendment.

In review of the claims for Appeal the following typographical errors have been identified and corrected.

The following typographical errors have been corrected:

- The term "transistor" in claims 218, 222, 229, 309, 313 and 320 has been changed to "transition".
- The " $T_c$  26 K" have been changed to greater than or equal to  $26^{\circ}\text{K}$  in claims 466, 476, 517 and 522.
- The "26 K" has been changed in claims 467, 477, 518 and 523 to  $26^{\circ}\text{K}$ .
- The "A apparatus" has been changed in claims 42, 420, 423, 425, and 427 to "An apparatus".
- The "superconducting" has been changed in claims 473, 474, and 475 to "superconductive".

In the claims listed below

- the terms "means for passing an electrical superconducting current," "current means," "electrical means for passing an electrical superconducting current" have been changed to "a current source"
- the term "means for cooling" has been changed to "a temperature controller."

- The terms "a current source" and "a temperature controller" are found in allowed claims, e.g. 167 to 174.
- Claim list
  - 1, 12, 24, 27, 34, 36, 40, 42, 46, 55, 57, 58, 59, 64, 69, 77, 84, 86, 71, 91, 93, 96, 103, 109, 123, 130, 135, 137, 139, 140, 361, 373, 374, 379, 383, 386, 438, 496, 497, 535, 543.

Claim 510 has been amended to add after the last word of the claim, "and" the element "(c) a source of an electric current to flow in the superconductor element." This is the last element of claim 511.

These changes do not raise new issues and do not require any additional searching. And, these changes place the claims in better condition for appeal since typographical errors are corrected and claims have been amended to use allowed claim terminology. These changes do not alter the meaning of the claims and do not surrender any equivalents.

Dependent claims 544 to 551 added in the Twelfth Supplementary Response were previously submitted as amendments after the final rejection but were not entered. These claims do not raise new issues and do not require any additional searching since these claims recite terminology allowed in claims: 330, 335, 336, 346 and 358.

Independent claims 552 and 553 are added. These claims do not raise new issues and do not require any additional searching since claim 552 is identical to claim 163 of which the Board's Decision dated 09/17/2009 reversed the Examiner's rejection, where copper in the second line of claim 163 changed to "a transition metal." Claim 553 is based on allowed claim 163 and the Board's Summary of Decision at page 7, line 2-7, thereof.

The argument in Appellants' REQUEST FOR REHEARING UNDER 37 C.F.R. § 41.52 (a)(1) Of the Decision on Appeal dated 09/17/2009 is incorporated herein by reference.

Please charge any fee necessary to enter this paper and any previous paper to deposit account 09-0468.

Respectfully submitted,

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